

## **REMARKS**

Applicants respectfully request consideration of the subject application as amended herein. Claims 1-7 and 10-16, 18-26, and 29-31 are rejected. In this amendment, claims 1, 15 and 29 have been amended. Support for the claim amendments can be found, for example, on page 29, line 22 to page 30, line 18. New claims 33 and 34 have been added. Claims 5 and 12 have been canceled. Therefore, claims 1-4, 6, 7, 10, 11, 13-16, 18-26, and 29-34 are presented for examination.

### **Summary of Examiner Interview**

Applicants thank Examiner for granting a telephonic Examiner Interview on March 6, 2009. In the Examiner Interview, proposed claim amendments were discussed, which are reflected in the currently amended claims. The Examiner agreed that the proposed claim amendments overcome the presently cited prior art, and that an updated prior art search would be necessary in light of the claim amendments.

### **Summary of Rejections under 35 U.S.C. § 103(a)**

Claims 1-3, 6 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman et al, (U.S. Pub. No. 2002/0194414, hereinafter “Bateman”) in view of Sate et al., (U.S. Patent No. 7,265,779), further in view of Yamada et al., (U.S. Patent No. 6,239,837, hereinafter “Yamada”) and further in view of Terakado et al., (U.S. Pub. No. 2002/0001042, hereinafter “Terakado”).

Claims 4-5, 7, and 10-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada in view of Terakado and in further view of Okada (U.S. Patent No. 6,630,954, hereinafter “Okada”).

Claims 15, 18, 21-22 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada.

Claims 16, 19-20, 23-24, and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada and in further view of Okada.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in view of Yamada and further in view of Terakado, and further in view of Takahashi, (U.S. Pub. No. 2002/0051065, hereinafter “Takahashi”).

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in view of Yamada in view of Terakado in view of Takahashi and further in view of Jackel et al., (U.S. Pub. No. 2003/0133015).

#### Claims 1-14 and 31-34

Claims 1-3, 6 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman, in view of Sato, in view of Yamada, and further in view of Terakado.

Bateman teaches a camera base unit (cradle) for connecting a digital camera to a local host, and enabling file transfer between the digital camera and the local host. (Bateman, paragraph [0009]; Figure 1). Bateman teaches that on-camera and on-host software programs and drivers are necessary to enable the transfer of images between the digital camera and the local host or remote host. (Bateman, paragraph [0023]; paragraph [0032], paragraph [0038]). For example, Bateman states, “[i]nherent in the description of events shown in Fig. 7 is that various software components have already been loaded at the host through an application install as described above.” (Bateman, paragraph [0038]). The Examiner noted that Bateman teaches determining whether a USB bus is configured to transfer information from the camera to the local host via the USB bus, and configuring the local host to enable such a

transfer of information. (Office Action, 1/29/2009, page 3, citing Bateman, page 4, par. 35- page 5, par. 39; page 6, par. 44). However, in Bateman a plug and play (PnP) manager 608 determines whether the local host is configured to communicate with the data capture device. (Bateman, par. [0036]). Moreover, in Bateman it is the PnP manager 608 that configures the local host to enable it to communicate with the data capture device. (Bateman, par. [0036], [0044]; Fig. 6 block 608). The PnP manager 608 of Bateman is a software component **of the local host**. Therefore, in Bateman it is a component of the **local host** that determines whether the local host is configured to communicate with the camera. Bateman does not teach that the **camera** determines whether the local host is configured to communicate with the data capture device, or with the remote host. Nor does Bateman teach that the **camera** sends data to the local host to configure the local host.

In contrast to Batement, claim 1 has been amended to recite, “determining, **by the data capture device**, whether the pipeline device is configured to transfer information from the data capture device to a remote host device,” and “automatically sending data **from the data capture device** to the pipeline device that configures the pipeline device to transfer the information.” (emphasis added). Accordingly, Bateman fails to teach or suggest all of the features of claim 1 as amended.

Sato teaches establishing a connection between a digital camera and a mobile phone, and establishing a connection between the mobile phone and a server. (Sato, col. 4, lines 55- 63). However, Sato is silent regarding whether dedicated software is necessary on the mobile phone or the server to establish such connections. Moreover, Sato fails to teach or suggest determining, by the digital camera, whether the mobile phone is configured to transfer information to the server, or automatically sending data from the digital camera to the mobile phone that configures the mobile phone to transfer information to the server if the pipeline

device is not configured to transfer the information. Accordingly, Sato fails to teach or suggest the features of claim 1 that are missing from Bateman.

Yamada teaches inserting an auxiliary memory card into a digital camera. Files may then be transferred from a main memory to the auxiliary memory card. (Yamada, col. 4, lines 32-35). Yamada fails to teach or suggest a pipeline device, much less determining whether the pipeline device is configured to transfer information or automatically sending data to the pipeline device that configures the pipeline device to transfer the information. Accordingly, Yamada fails to teach or suggest the elements of claim 1 missing from Bateman and Sato.

Terakado teaches a remote control that sends and receives data with a base unit using infrared light. (Terakado, page 4, paragraph [0058]). Terakado fails to teach or suggest a pipeline device, much less determining whether the pipeline device is configured to transfer information or automatically sending data to the pipeline device that configures the pipeline device to transfer the information. Accordingly, Terakado fails to teach or suggest the elements of claim 1 missing from Bateman, Sato and Yamada.

For at least the above reasons, the combination of Bateman, Sato, Yamada and Terakado fails to teach or suggest all of the limitations that are included in the following language of claim 1:

... determining, by the data capture device, whether the pipeline device is configured to transfer information from the data capture device to a remote host device that is capable of communication with said data capture device via the pipeline device;

if the pipeline device is not configured to transfer the information, automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information; ...

Therefore, applicants respectfully submit that claim 1 and its associated dependent claims are in a condition for allowance, and request that the Examiner remove his rejection under 35 U.S.C. § 103(a).

Regarding the rejection to claims 4-5, 7, and 10-14 under 35 U.S.C. § 103(a) with the combination of Bateman, Sato, Yamada, Terakado and Okada, Okada teaches a digital camera that warns a user when a digital photograph is to be deleted. Okada fails to teach or suggest a pipeline device, much less determining whether the pipeline device is configured to transfer information or automatically sending data to the pipeline device that configures the pipeline device to transfer the information. Accordingly, Okada fails to teach or suggest the elements of claim 1 missing from Bateman, Sato, Yamada and Terakado.

#### Claims 15-26

Claims 15, 18, 21-22 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada.

As discussed above, none of Bateman, Sato or Yamada, alone or in combination, teach or suggest “determining, by the data capture device, whether the pipeline device is configured to transfer information from the data capture device to a remote host device,” or “automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information.” Likewise, the combination of Bateman, Sato and Yamada also fails to teach or suggest, “determining, by the first device, whether the pipeline device is configured to transfer information from the first device to a second device.” In contrast, claim 15 has been amended to recite, “determining, by the first device, whether the pipeline device is configured to transfer information from the first device to a second device that is capable of communication with said first device via the pipeline device,” and “automatically sending data from the first device to the pipeline device that configures the pipeline device to transfer the information.” Accordingly, applicants

respectfully submit that claim 15 and its corresponding dependent claims are in condition for allowance, and request that the rejection 35 U.S.C. § 103(a) be withdrawn.

Regarding the rejection to claims 16-17, 19-20, 23-24, and 26-28 under 35 U.S.C. § 103(a) with the combination of Bateman, Sato, Yamada, and Okada, Okada teaches a digital camera that warns a user when a digital photograph is to be deleted. Okada fails to teach or suggest a pipeline device, much less determining whether the pipeline device is configured to transfer information or automatically sending data to the pipeline device that configures the pipeline device to transfer the information. Accordingly, Okada fails to teach or suggest the elements of claim 15 missing from Bateman, Sato and Yamada.

#### Claims 29-30

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in view of Yamada in view of Takahashi and further in view of Terakado.

As amended, claim 29 recites:

A method facilitating transfer of information from a data capture device to a host device, the method comprising:

upon establishing a wireless network connection between a data capture device and a host device that is capable of communicating with said data capture device, **automatically sending at least one of a driver or an application from the data capture device to the host device and installing the at least one of the driver or the application on the host device**, wherein the at least one of the driver or the application enables the host device to transfer the information;

automatically verifying that the wireless network connection has been established between said data capture device and said host device and automatically initiating an immediate transfer of information from said data capture device using at least one of said driver or said application;

automatically providing notification that said transfer of information is in process;

automatically providing notification of successful completion of said transfer of information by one of illumination or extinguishing of a light on said data capture device; and

automatically deleting said information from said data capture device upon successful completion of said transfer.

(emphasis added).

As discussed above, none of Bateman, Yamada or Terakado, alone or in combination, teach or suggest “if the pipeline device is not configured to transfer the information, automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information.” Similarly, the combination of Bateman, Yamada and Terakado also fails to teach or suggest. In contrast, claim 29 has been amended to include these limitations.

Takahashi teaches transmitting image data files from a digital camera to a personal computer via a IEEE-1394 cable. (Takahashi, par. [0075]). However, Takahashi fails to teach or suggest automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information. Therefore, Takahashi fails to teach or suggest the features of claim 29 that are missing from the combination of Bateman, Yamada or Terakado.

Accordingly, applicants respectfully submit that claim 29, and its corresponding dependent claims, is patentable over the combination of Bateman, Sato, Takahashi and Yamada, and request that the rejection under 35 U.S.C. 103(a) be withdrawn.

### **Conclusion**

Applicants respectfully request the withdrawal of the rejections and submit that pending claims 1-4, 6, 7, 10, 11, 13-16, 18-26, and 29-34 are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Benjamin Kimes at (408) 720-8300.

### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such extension.

Respectfully submitted,

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